



Order Filed on August 23, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR
9004-2(c)**

DAVID A. KASEN, ESQUIRE
KASEN & KASEN, P.C.
Society Hill Office Park, Suite 3
1874 E. Marlton Pike
Cherry Hill, NJ 08003
Telephone (856) 424-4144
Fax (856) 424-7565
Attorneys for Debtor
ID# DK1778

In Re:

RONALD BRODIE,

Debtor.

Case No.: 19-21672/ABA

Hearing Date: 7/12/19 Judge: Altenburg


**CONSENT ORDER AUTHORIZING MODIFICATION
OF ORDER AUTHORIZING SALE OF DEBTOR'S INTEREST IN 810 JOSHUA
COURT, MOORESTOWN, NEW JERSEY FREE AND CLEAR OF ALL LIENS
AND ENCUMBRANCES PURSUANT TO § 363(1) OF THE BANKRUPTCY CODE**

The relief set forth on the following pages, numbered two (2) through four (4) is hereby

ORDERED.

Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

DATED: August 23, 2019



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Caption of Order: **CONSENT ORDER AUTHORIZING MODIFICATION OF ORDER
AUTHORIZING SALE OF DEBTOR'S INTEREST IN 810 JOSHUA COURT,
MOORESTOWN, NEW JERSEY FREE AND CLEAR OF ALL LIENS AND
ENCUMBRANCES PURSUANT TO § 363(f) OF THE BANKRUPTCY CODE**

WHEREAS, THIS MATTER was originally opened to the Court by David A. Kasen, Esquire, of Kasen & Kasen, attorneys for the above-named debtor, pursuant to a Motion to Sell Debtor's Interest in 810 Joshua Court, Moorestown, New Jersey Free and Clear of All Liens and Encumbrances Pursuant to § 363(f) of the Bankruptcy Code, and opposition to the Motion having been filed by Landmark Growth Capital Partners, L.P. and Landmark IAM Growth Capital, L.P. and by the United States Trustee and the objections having been resolved; and

WHEREAS, the Court having approved, on July 19, 2019, a Consent Order (the "Consent Order") authorizing sale of Debtor's interest in 810 Joshua Court, Moorestown, New Jersey (the "Moorestown Property") free and clear of all liens and encumbrances pursuant to § 363 of the Bankruptcy Code; and

WHEREAS, the Debtor, and his wife Patricia J. Brodie (collectively, "Sellers") entered into an Agreement of Sale dated April 17, 2019 (the "Agreement of Sale") to sell the Moorestown Property to William Richard Smith and Stephanie Smith (collectively, "Buyers"). Thereafter, the Buyers made an earnest money deposit in the amount of Ten Thousand Dollars (the "Deposit") pursuant to the Agreement of Sale. The Deposit is being held by Weichert, Realtors; and

WHEREAS, the Sellers and Buyers have: (i) determined that the Agreement of Sale cannot be consummated and that the Agreement should be terminated; and (ii) executed the Release to the Contract for Sale and Release of Earnest Money Deposit (the "Release"), attached hereto as Exhibit A, providing for the termination of the Agreement of Sale and return of the Deposit to the Buyers;

Caption of Order: **CONSENT ORDER AUTHORIZING MODIFICATION OF ORDER
AUTHORIZING SALE OF DEBTOR'S INTEREST IN 810 JOSHUA COURT,
MOORESTOWN, NEW JERSEY FREE AND CLEAR OF ALL LIENS AND
ENCUMBRANCES PURSUANT TO § 363(f) OF THE BANKRUPTCY CODE**

WHEREAS, the termination of the Agreement of Sale will enable the Sellers to pursue a sale with a new buyer and, all parties to the Consent Order, as well as the Buyers, have approved this Consent Order.

IT IS HEREBY ORDERED that the Release is hereby approved.

IT IS FURTHER ORDERED that the Deposit shall be returned to the Buyers in accordance with the Release.

IT IS FURTHER ORDERED that with the exception of the foregoing provisions, all other terms of the Consent Order shall remain in full force and effect.

We hereby consent to the form and entry of the within Consent Order.

KASEN & KASEN, Attorneys for Ronald Brodie, Debtor

/s/ David A. Kasen
By: DAVID A. KASEN, ESQ.

/s/ Patricia Brodie
By: PATRICIA BRODIE

/s/ Stephanie Smith
Stephanie Smith

/s/ William Richard Smith
William Richard Smith

Debtor(s): Ronald Brodie
Caption of Order: **CONSENT ORDER AUTHORIZING MODIFICATION OF ORDER
AUTHORIZING SALE OF DEBTOR'S INTEREST IN 810 JOSHUA COURT,
MOORESTOWN, NEW JERSEY FREE AND CLEAR OF ALL LIENS AND
ENCUMBRANCES PURSUANT TO § 363(f) OF THE BANKRUPTCY CODE**

NEHMAD PERILLO DAVIS AND GOLDSTEIN, Attorneys for 2EE, LLC

/s/ Eric S. Goldstein

By: ERIC S. GOLDSTEIN, ESQ.

SCARINCI & HOLLENBECK, Attorneys for Landmark Growth Capital Partners, L.P. and
Landmark IAM Growth Capital, L.P.

/s/ Joel R. Glucksman

By: JOEL R. GLUCKSMAN, ESQ.

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Ronald Brodie
Debtor

Case No. 19-21672-ABA
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 2

Date Rcvd: Aug 23, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 25, 2019.

db #+Ronald Brodie, 810 Joshua Court, Moorestown, NJ 08057-3830
aty +Kasen & Kasen, 1874 E Marlton Pike, Cherry Hill, NJ 08003-2044

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 25, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 23, 2019 at the address(es) listed below:

Daniel F. Corrigan on behalf of Creditor Noble Opportunity Fund II, LP
dcorrigan@windelsmarx.com, mslama@windelsmarx.com
David A. Kasen on behalf of Debtor Ronald Brodie dkasen@kasenlaw.com
Jeffrey M. Sponder on behalf of U.S. Trustee U.S. Trustee jeffrey.m.sponder@usdoj.gov,
jeffrey.m.sponder@usdoj.gov
Joel R. Glucksman on behalf of Creditor Landmark IAM Growth Capital, LP jglucksman@sh-law.com,
rjoyce@sh-law.com
Joel R. Glucksman on behalf of Creditor Landmark Growth Capital Partners, LP
jglucksman@sh-law.com, rjoyce@sh-law.com
John C. Kilgannon on behalf of Creditor William R Smith jck@stevenslee.com
John C. Kilgannon on behalf of Creditor Stephanie Smith jck@stevenslee.com
Kevin Gordon McDonald on behalf of Creditor BANK OF AMERICA, N.A. kmcdonald@kmlawgroup.com,
bkgroup@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9